

**James Sweeney**

*DLC Replied by MK*

**From:** Bord  
**Sent:** Monday 29 April 2024 13:39  
**To:** Appeals2  
**Subject:** FW: Urgent Please | PL04.308208 & PL04.308210  
**Attachments:** 29.04.2024 Email Letter to An Bord Pleanála.pdf  
**Importance:** High

**From:** Joe Noonan <jnoonan@nlcc.ie>  
**Sent:** Monday, April 29, 2024 1:01 PM  
**To:** Bord <bord@pleanala.ie>  
**Cc:** Pippa Willows <pippawillows@nlcc.ie>  
**Subject:** Urgent Please | PL04.308208 & PL04.308210  
**Importance:** High

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**Noonan Linehan Carroll Coffey LLP**

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*Our Ref: 32210-20/JN/PW*

**TO: The Secretary, An Bord Pleanála**

**FROM:**

**Joe Noonan**  
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## URGENT PLEASE

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

~ By Email – [bord@pleanala.ie](mailto:bord@pleanala.ie) ~

29<sup>th</sup> April 2024

Our ref: 32210-20/JN/PW

**RE: Applicant:** Barna Wind Energy (BWE) Ltd  
**Development:** 6 no. wind turbines  
**At:** Lackareagh and Garranereagh, Lissarda and Barnadivane (Kneevs) Teerelton,  
County Cork (146760)  
**An Bord Pleanála Reference Number:** PL04.308210

**AND**

**Applicant:** Arran Windfarm Ltd  
**Development:** Construct electricity substation compound, to replace substation already granted permission under PL04.219620 (05/5907) and extended under 11/6605. Electricity substation layout includes 3 no. control buildings, associated electrical plant and equipment, security fencing and ancillary works. A 10 year permission is sought  
**At:** Barnadivane, Kneevs, Terelton, Co. Cork (14557)  
**An Bord Pleanála Reference Number:** PL04.308208

**Our clients:** Denis Buckley and others known as Barna Wind Action Group, c/o Denis Buckley, Moneygoff East, Castletown, Enniskeane, Co Cork

Dear Sir/Madam,

We refer to your letters on the above two applications dated 8<sup>th</sup> April 2024 inviting, in the interests of justice, submissions or observations in relation to the submission received on 10<sup>th</sup> March 2023 from Fehily Timoney & Company on behalf of Arran Windfarm Ltd/Bara Wind Energy (BWE) Ltd respectively.

We note the deadline of 7<sup>th</sup> May 2024, which is just 4 weeks and 1 day from the date of your letter which was received by us one day later, 9<sup>th</sup> April.

The Board first requested this “submission” from the developer on 24<sup>th</sup> February 2021. It requested receipt of the submission by 20<sup>th</sup> April 2021. This was allowing the developer a period of 1 month and 3 weeks.

We are advised by the Board that a letter was sent to it from the developer on 19<sup>th</sup> April 2021 requesting an extension on the timeframe and that this was acceded to by way of letter from the Board to the Developer on 13<sup>th</sup> May 2021 with a new greatly extended deadline of 31<sup>st</sup> December 2022. This allowed the developer an astonishing period of 19 months and 2 weeks, over a year and a half.

JOE NOONAN BCL COMM FOR OATHS EAMONN CARROLL BCL LL.M PHILIP COFFEY BCL LL.M CLAIRE COLEMAN BCL

TARA O'CONNOR BCL SOLICITOR CLAIRE MCCARTHY B.A MA SOLICITOR

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This amount of time was still not enough for the developer, who emailed the Board on 20<sup>th</sup> December 2022 requesting yet another extension of time. This was granted by the Board on 4<sup>th</sup> January 2023 with a new “deadline” of 28<sup>th</sup> February 2023. A further 1 month and 3 weeks.

On 16<sup>th</sup> February 2023 the Board received yet another request for an extension by the developer, and again the Board acceded to the request, this time with a ‘deadline’ of 28<sup>th</sup> March 2023. A further 3 weeks and 6 days.

The developer finally filed their submission with An Bord Pleanála on 10<sup>th</sup> March 2023. This was 2 years and 2 weeks after the Board’s first request on 24<sup>th</sup> February 2021.

The Board’s letter to us dated 8<sup>th</sup> April 2024 was sent 12 months and 4 weeks after the Board received the submission from the developer. The submission is large with an estimated 3,000 pages and no doubt the Board needed a lot of time to analyse and assess whether it is to be deemed significant enough for circulation.

Once that decision was made, the Board considers that it is sufficient to allow our clients the appellants just 4 weeks and 1 day within which they are required to take advice, analyse and respond. This, we submit, does not meet the interests of justice and is grossly unfair to our clients.

We request that you review the deadline and accede to our request for an extension. They consider that a period of three months from receipt of notification should be the minimum. We await hearing from you urgently please.

Yours faithfully,

*Joe Noonan*

**Joe Noonan**

**NOONAN LINEHAN CARROLL COFFEY LLP**